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Signature of Sender:

Paul Vincent

Name of Sender:

PAUL VINCENT

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	LENHART, Klaus	) Examiner:
Application No.:	10/511,294	) GARCIA, E.
Filing Date:	October 15, 2004	) Art Unit:
For:	ADJUSTABLE-LENGTH TUBE, ESPECIALLY FOR STICKS (AS AMENDED)	) 3679
		)
		)

Atty. Docket No.: 2502 0166US

**TRANSMITTAL LETTER IN RESPONSE TO  
RESTRICTION/ELECTION REQUIREMENT**

Commissioner for Patents  
Alexandria, VA 22313-1450  
U.S.A.

Transmitted herewith is a response to a restriction/election requirement in the above identified application.

(X) No additional fee is required.  
( ) The fee has been calculated as shown below:

S.N. 10/511,294 filed October 15, 2004  
LENHART, Klaus

Atty. Docket: 2502 0166US

## CLAIMS AS AMENDED

	Claims Remaining After Amendment		Highest Number Previously Paid For	Present Number Extra	Rate	FEE
Total claims	8	-	20	X	x\$ 50	0
Independent claims	1	-	3	X	x\$ 200	0
Multiple dependent claim added					+\$ 360	0
						<b>TOTAL \$ 0</b>
( ) If small entity, then divide total fee by 2						<b>SMALL ENTITY TOTAL \$ 0</b>

( ) A Petition for Extension of time under 37 CFR 1.136(a)

( ) Please charge Deposit Account Number 50-1030 in the amount of \$ for the Extension fee.

(X) The Commissioner is hereby authorized to charge payment of fees associated with this communication or credit any overpayment to Deposit Account Number 50-1030.

(X) Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

( ) Return Postcard Receipt

Respectfully submitted

Paul VincentDr. Paul Vincent  
Reg. No. 37,461September 20, 2005  
Date

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PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	LENHART, Klaus	) Examiner:
Application No.:	10/511,294	) GARCIA, E.
Filing Date:	October 15, 2004	) Art Unit:
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## RESPONSE TO RESTRICTION ELECTION REQUIREMENT

Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
USA

This communication is in response to the Restriction Election requirement in the subject patent application mailed August 24<sup>th</sup>, 2006. The Applicant hereby elects species I corresponding to figures 1 and 2. This election is made without traverse.

The Examiner has indicated that claims 10 and 12 correspond to species I and claims 13 and 14 to species II and that claims 8, 9, 11 and 15 are generic. The Applicant respectfully disagrees. In fact, claims 8 through 11 are generic, claim 12 reads on species I and claim 13 reads on species II. Claims 14 and 15 are also both generic. The Applicant would like to direct the Examiner's attention to the translation of the PCT application filed with nationalization. Claims 1 through 7 of that PCT application correspond to

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claims 8 through 15 of the instant application, wherein claims 8 and 9 of the current claims of record correspond to PCT claim 1 and remaining claims 10 through 15 correspond to PCT claims 2 through 7 respectively. These claims indicate the reference symbols of the figures. It is clear that all elements recited in these claims read on both the embodiments of figures 1, 2 and 3, 4 with the exception of claims 12 and 13. Review and acceptance is requested.

Having elected species I of figures 1 and 2, the Applicant requests examination of claim 12 as well as generic claims 8 through 11, 14 and 15.

Respectfully submitted,

Paul Vincent

Dr. Paul Vincent

Registration number 37,461

September 19, 2006

Date

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